

Message Text

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12-S

ACTION EB-11

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TO SECSTATE WASHDC 664

INFO AMEMBASSY MEXICO CITY

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E.O. 11652: NA

TAGS: PFOR, EGEN, UN, MEX

SUBJ: MEXICAN CHARTER OF ECONOMIC RIGHTS AND DUTIES OF
STATES

REF: USUN 4345

1. US REP, AMBASSADOR FERGUSON, SPOKE IN SECOND COMITE OCT 31
ON ITEM 51, UNCTAD. MAJOR PORTION OF STATEMENT DIRECTED TOWARD
MEXICAN CHARTER OF ECONOMIC RIGHTS AND DUTIES.

2. COMPLETE TEXT OF US STATEMENT FOLLOWS:

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MR. CHAIRMAN:

I WOULD FIRST LIKE TO THANK DR. PEREZ-GUERRERO FOR HIS
ELEGANT AND ELOQUENT INTRODUCTION OF THIS ITEM. WE APPRECIATE
HIS PRECISE DESCRIPTION OF THE WORK PRESENTLY BEING DONE BY
UNCTAD. PERHAPS OF MORE IMPORTANCE, HE ALSO DREW ATTENTION
TO THE EMERGING PROBLEMS THAT HAVE YET TO BE CONFRONTED AND
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TO AREAS FOR FUTURE INVESTIGATION AND NEGOTIATION. THE

UNITED STATES WILL PARTICIPATE IN A SEARCH FOR SOLUTIONS TO THESE PROBLEMS WITHOUT PRECONDITIONS AND IN A SPIRIT OF COOPERATION. WE URGE ONLY THAT OTHERS ADOPT THE SAME APPROACH.

MY DELEGATION APPRECIATES THE SECRETARY-GENERAL'S OFFER OF SUPPORT IN THE PREPARATIONS FOR A WORLD FOOD CONFERENCE TO BE HELD IN 1974 UNDER UN AUSPICES.

IN HIS STATEMENT TO THE GENERAL ASSEMBLY ON SEPTEMBER 24 SECRETARY OF STATE HENRY KISSINGER PLEDGED THAT THE U.S. WOULD BE COOPERATIVE IN MOVING FROM CONFRONTATION TO COMMUNITY. SECRETARY KISSINGER SAID:
"IN THIS SPIRIT THE UNITED STATES IS WILLING TO EXAMINE SERIOUSLY THE PROPOSAL BY THE DISTINGUISHED PRESIDENT OF MEXICO FOR A CHARTER OF THE ECONOMIC RIGHTS AND DUTIES OF STATES. SUCH A DOCUMENT WILL MAKE A SIGNIFICANT AND HISTORIC CONTRIBUTION IF IT REFLECTS THE TRUE ASPIRATIONS OF ALL NATIONS; IF IT IS TURNED INTO AN INDICTMENT OF ONE GROUP OF COUNTRIES BY ANOTHER IT WILL ACCOMPLISH NOTHING. TO COMMAND GENERAL SUPPORT--AND TO BE IMPLEMENTED--THE PROPOSED RIGHTS AND DUTIES MUST BE DEFINED EQUITABLY AND TAKE INTO ACCOUNT THE CONCERNS OF INDUSTRIALIZED AS WELL AS OF DEVELOPING COUNTRIES. THE UNITED STATES STANDS READY TO DEFINE ITS RESPONSIBILITIES IN A HUMANE AND COOPERATIVE SPIRIT."

IT IS IN THIS SPIRIT THE UNITED STATES WELCOMES THE DRAFT RESOLUTION INTRODUCED SO ABLY YESTERDAY BY THE DISTINGUISHED REPRESENTATIVE OF MEXICO, MR. GONZALEZ-GALVEZ. THE UNITED STATES DELEGATION TO UNCTAD HAS ACTIVELY PARTICIPATED IN THE WORKING GROUP ON THE CHARTER. WE INTEND TO MAINTAIN OUR ACTIVE ROLE IN THE WORKING GROUP, AND I WOULD LIKE TO CONFIRM U.S. SUPPORT FOR THE GENERAL IDEA OF A CHARTER. THE WORDS OF OUR SECRETARY OF STATE I HOPE DISABUSE ONCE AND FOR ALL THE IDEA THAT THE U.S. IS INTRACTABLY OPPOSED TO THE IDEA OF A CHARTER. WE HOPE THAT A BALANCED DECLARATION OF PRINCIPLES WILL EMERGE WHICH CAN OBTAIN UNIVERSAL SUPPORT AND WHICH WILL PROVIDE A USEFUL GUIDE TO INTERNATIONAL ECONOMIC RELATIONS BETWEEN THE DEVELOPED AND DEVELOPING, BETWEEN INDUSTRIALIZED AND NON-INDUSTRIALIZED ECONOMIES AND MARKET AND NON-MARKET STATES.
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WE NOTE THAT AT THIS STAGE THE DRAFT CHARTER IS FAR FROM ITS FINAL FORM BUT WE ALSO NOTE THAT THE WORKING GROUP HAS MADE AN IMPORTANT START ON THE NEGOTIATIONS THAT SHOULD LEAD TO A UNIVERSALLY ACCEPTABLE DOCUMENT. WHILE WE ARE UNABLE TO SUPPORT A PROPOSAL FOR A DOCUMENT OF A LEGALLY BINDING NATURE AT THIS TIME, THE UNITED STATES DELEGATION FULLY SUPPORTS DRAFT RESOLUTION L-1295, AND WE PROMISE TO COOPERATE ACTIVELY

IN THE EFFORT TO ELABORATE THE CHARTER ON ECONOMIC RIGHTS AND DUTIES. IN THIS CONNECTION, WE WELCOME THE REMARKS OF DR. GONZALEZ-GALVEZ THAT WE SHOULD EXAMINE WITH CARE THE SOURCES OF INTERNATIONAL LAW. IN VIEW OF OUR POSITION WE ARE PREPARED TO JOIN IN SUCH AN EXAMINATION; FOR WE REALIZE THAT WHETHER BINDING LEGAL OBLIGATIONS ARE CREATED OR NOT MAY NOT BE

A MATTER OF THE TITLE OF THE PARTICULAR DOCUMENT.

BEFORE CONCLUDING I WOULD LIKE TO AVER TO ONE OTHER MATTER. IN THE COURSE OF HIS INTRODUCTION THE DISTINGUISHED SECRETARY-GENERAL CALLED UPON THE UNITED STATES TO ACCEDE TO THE COCOA AGREEMENT. WE APPRECIATE THE POSITION OF THE SECRETARY-GENERAL AND UNCTAD. MY GOVERNMENT, HOWEVER, HAS CONSISTENTLY MADE ITS POSITION CLEAR REGARDING THIS ISSUE. WE WILL COOPERATE TO EVERY DEGREE POSSIBLE WITH THOSE WHO HAVE JOINED IN THE COCOA AGREEMENT. MY GOVERNMENT, HOWEVER, HAS MADE CLEAR FOR REASONS WHICH NEED NOT BE REHEARSED HERE, THAT WE CANNOT BECOME PARTIES TO THAT ARRANGEMENT. UNQTE SCALI

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